FEB 0 6 2004

Atty. Dkt. No. 071949-1314

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Kenneth F. Buechler

Title:

DIAGNOSTIC DEVICES AND

APPARATUS FOR THE

CONTROLLED MOVEMENT OF

REAGENTS WITHOUT

**MEMBRANES** 

Appl. No.:

09/805,653

Filing Date:

03/13/2001

Examiner:

Lyle Alexander

Art Unit:

1641

## CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this peper is being facelmite transmitted to the United States Patent and Trademark Office, Ataxendrip, Virginia on the date below. Germaine Sarda (Printed Name) (Signature) February 3, 2004 (Date of Deposit)

## NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated October 3, 2003, and the Advisory Action dated October 28, 2002, of the Examiner finally rejecting Claims 74-113.

- [X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- [X] Notice of Appeal Fee
  - [X] Not required (Fee paid in prior appeal after which the Examiner withdrew the final rejection).